

Prob 12(Rev. 3/88)

**UNITED STATES DISTRICT COURT
For The
WESTERN DISTRICT OF PENNSYLVANIA**

U.S.A. vs. Kimberly A. Daugherty**Docket No. 02-00038-002 Erie****Petition on Supervised Release**

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Kimberly A. Daugherty, who was placed on supervision by the Honorable Sean J. McLaughlin sitting in the Court at Erie, Pennsylvania, on the 19th day of December 2003, who fixed the period of supervision at three years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- The defendant shall not commit another federal, state, or local crime.
- The defendant shall not illegally possess a controlled substance.
- The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.
- The defendant shall participate in a program of testing and treatment for substance abuse, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer. Further, the defendant shall be required to contribute to the cost of services for any such treatment in an amount determined by the probation officer, but not to exceed the actual cost.
- The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter.
- The defendant shall pay a special assessment of \$100.

12-19-03: Conspiracy to Distribute and Possess With Intent to Distribute Powder Cocaine; 5 months' incarceration, 3 years' supervised release.

11-26-04: Released to supervision; Currently supervised by U.S. Probation Officer Matthew L. Rea.

12-09-05: Petition signed by Judge McLaughlin; Supervision condition added that the defendant shall not consume, purchase, or possess alcohol.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR
CAUSE AS FOLLOWS:**

Your Petitioner reports the following violations:

The defendant shall not commit another federal, state, or local crime.

On or about November 18, 2005, in Erie, Pennsylvania, the defendant was arrested and charged with Driving Under the Influence (DUI) of Alcohol by the Erie Police Department. The defendant pled guilty on April 4, 2006, and was sentenced in the Erie County Court of Common Pleas, Docket No. 85 of 2006, on May 5, 2006, and received six months' probation. Again, on or about November 26, 2006, the defendant was arrested and charged with Driving Under the Influence (DUI) of Alcohol, in the Village of Lakewood, Chautauqua County, New York. On June 27, 2007, the defendant was found guilty in the Busti Town Court in Lakewood, New York, and was sentenced to a \$500 fine, a six-month driver's license suspension, and court costs of \$190.

On June 29, 2007, the defendant admitted to driving on a DUI suspended license.

On July 6, 2007, the Erie Police Department arrested the defendant for DUI. An arrest report and booking sheet processed by the Erie Police Department confirmed the arrest. On July 9, 2007, Ms. Daugherty called this officer and admitted to be arrested for DUI.

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The defendant shall not leave the judicial district without permission of the court or probation officer.

On or about November 26, 2006, the defendant was arrested and charged with Driving Under the Influence (DUI) of Alcohol, in the Village of Lakewood, Chautauqua County, New York.

The defendant shall notify the probation officer within 72 hours of any change in residence or employment.

The defendant moved without notifying the officer to her current address in Lake City, Pennsylvania.

The defendant shall participate in a program of testing and, if necessary, treatment for substance abuse, to include alcohol, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer.

An Outpatient Services Discharge Summary from Gaudenzia in Erie, Pennsylvania, reflects that the defendant was admitted on April 17, 2007, and only attended two counseling sessions. After missing four consecutive counseling sessions, she was discharged unsuccessfully.

The defendant shall not use, possess, or purchase alcohol.

On June 27, 2007, the defendant was found guilty in the Busti Town Court in Lakewood, New York, for Driving Under the Influence of Alcohol (DUI). The defendant also admitted to this officer to using alcohol that same week.

On July 9, 2007, Ms. Daugherty called this officer and admitted to drinking alcohol before being arrested by the Erie Police Department on July 6, 2007, for a DUI.

PRAYING THAT THE COURT WILL ORDER that a bench warrant be issued for the arrest of the supervised releasee for the alleged violations of supervision and she be detained pending a hearing to show cause why supervision should not be revoked.

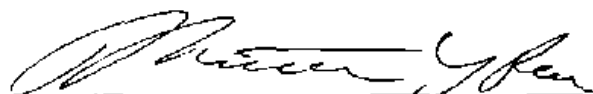
ORDER OF COURT

Considered and ordered _____ day of _____, _____ and ordered filed and a part of the records in the above case.

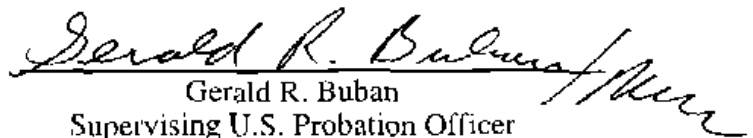
U.S. District Judge

I declare under penalty of perjury that the foregoing is true and correct.

Executed
on 07-09-07



Matthew L. Rea
U.S. Probation Officer



Gerald R. Buban
Supervising U.S. Probation Officer

Place: Erie, PA